

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

X
ROGELIO MARTINEZ-CRUZ and
ERICK MARTINEZ-CASTILLO,
individually and on behalf of others similarly situated

Civil Case No.: 20-CV-04084

Plaintiffs,

-v-

**PLAINTIFFS' NOTICE OF
ACCEPTANCE OF OFFER OF
JUDGMENT**

YORK BAGELS INC. D/B/A BAGELS & CO.,
AMSTERDAM AVE BAGELS INC., D/B/A
BAGELS & CO., VLAD DJOURAEV and YURI
ISHAKOV, jointly and severally, in their
individual and professional capacities,
Defendants.

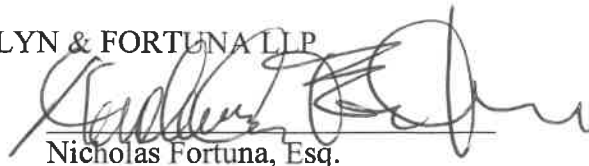
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To: Emanuel Kataev, Esq.
Milman Labuda Law Group PLLC
3000 Marcus Avenue, Suite 3W8
Lake Success, NY 11042-1073
Emanuel@mllaborlaw.com

PLEASE TAKE NOTICE that Plaintiffs Rogelio Martinez-Cruz and Erick Martinez-Castillo hereby accept the Offer of Judgment Pursuant to Rule 68 of the Federal Rules of Civil Procedure, made by defendants York Bagels Inc. D/B/A Bagels & Co., Amsterdam Ave Bagels Inc., D/B/A Bagels & Co., Vlad DjouraeV and Yuri Ishakov, dated June 7 2021. A true copy of the Offer of Judgment is annexed hereto as Exhibit "A."

Dated: June 7, 2021

ALLYN & FORTUNA LLP



Nicholas Fortuna, Esq.
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Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROGELIO MARTINEZ-CRUZ and
ERICK MARTINEZ-CASTILLO,
individually and on behalf of others similarly situated

Plaintiffs,

-v-

YORK BAGELS INC. D/B/A BAGELS & CO.,
AMSTERDAM AVE BAGELS INC., D/B/A
BAGELS & CO., VLAD DJOURAEV and YURI
ISHAKOV, jointly and severally, in their
individual and professional capacities,

Defendants.

X

Case No.: 1:20-cv-4084 (KPF) (SN)

**DEFENDANTS'
OFFER OF JUDGMENT
PURSUANT TO RULE 68
OF THE FEDERAL RULES
OF CIVIL PROCEDURE**

X

To: Nicholas Fortuna, Esq.
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Pursuant to Rule 68 of the Federal Rules of Civil Procedure (hereinafter referred to as "Rules" or "Rule"), Defendants York Bagels Inc., Amsterdam Ave Bagels Inc., Vlad DjouraeV, and Yuri Ishakov hereby offer to allow Judgment to be entered jointly and severally against them in this action in the amount of \$68,000.00, payable within forty-five (45) days of filing of Plaintiff's Notice of Acceptance, inclusive of Plaintiffs' reasonable attorneys' fees and costs incurred to the date of this offer. This offer is unconditional, and is made to fully and finally resolve all of Plaintiffs' claims for relief.

This Offer of Judgment is made for the purposes specified in Rule 68, and is not to be construed as either an admission that Defendants are liable in this action, nor that Plaintiffs have suffered any damages. This Offer of Judgment shall not be filed with the Court unless it is accepted.

Dated: Lake Success, New York
June 7, 2021

MILMAN LABUDA LAW GROUP PLLC



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Attorneys for Defendants